

FILED

TIME: _____

JUL 19 2007

JAMES BONINI, Clerk
COLUMBUS, OHIO

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

MAN NIN SHING COMPANY LIMITED

Plaintiff,

v.

**KING PRODUCTS, INC., DAVID
TULLER, R& L CARRIERS, INC. and
JOHN DOES I-III**

Defendants.

CIVIL ACTION NO. C2 06-0063

**Judge Frost
Magistrate Judge Kemp**

STIPULATED SETTLEMENT DECREE

The parties to this action, specifically Plaintiff, Man Nin Shing Company, Ltd. and Defendants, R&L Carriers, Inc. (hereinafter R&L) and David Tuller (hereinafter Tuller), wishing to conclude this action, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED THAT:

1. This Court has jurisdiction over the parties and over the subject matter of this action. Venue is proper in this district.
2. Defendants, R&L and Tuller stipulate that U.S. Design Patent D473,145S entitled "CLOCK WITH PHOTO FRAME" and U.S. Design Patent No. D475,930S entitled "MAGNIFYING GLOBE CLOCK" (the "Patents") are valid. R&L and Tuller shall not assist others, directly or indirectly, in attacking the validity of the patents.

3. It is stipulated that R&L has infringed the Patents by distributing, without Plaintiff's authorization, infringing clocks sourced from Defendant King Products, Inc. ("the Accused Device").

4. To the best of all parties knowledge, King Products, Inc. has been dissolved and is no longer an existing entity.

5. R&L and Tuller are hereby permanently enjoined from making, using, selling or offering to sell any clock with a frame covered by one or more of the Patents. R&L and Tuller are further enjoined from all marketing activities relating to the Accused Devices and will not sell any Accused Devices or other clocks covered by one or more of the Patents.

6. This court shall retain jurisdiction over the parties and the subject matter of this action for the purpose of construing and enforcing this Stipulation of Settlement and Judgment.

7. All claims raised in the Complaint and any counterclaims that could have been raised are dismissed with prejudice, each party to bear its own costs and attorney's fees.

8. This Stipulated Settlement Decree does not provide and shall not be construed to provide any license to the Patents.

9. Each signatory to this Stipulated Settlement Decree agrees that they have carefully reviewed this Stipulated Settlement Decree; that they understand its terms; that they have relied wholly upon their own judgment and knowledge and have not been influenced to any extent whatsoever in executing this Stipulated Settlement Decree by any representations or statements made by any other party or anyone acting on behalf of

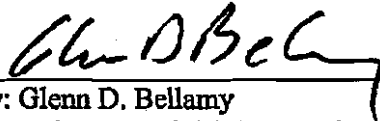
any other party other than as contained in this Stipulated Settlement Decree; that the parties have made no promises or representations that are not contained herein; that the aforesaid consideration is contractual and not a mere recital; and that the waiver of any breach of this Stipulated Settlement Decree shall not operate nor be construed as a waiver of any other similar or prior or subsequent breach of this Stipulated Settlement Decree

10. This Stipulated Settlement Decree shall be interpreted in accordance with the laws of the State of Ohio, irrespective of its choice of law rules.

11. This Stipulated Settlement Decree shall be binding upon inure to the benefit of the parties hereto their agents, employees, officers, directors, successors, assigns and transferees.


R&L Carriers, Inc.

Dated: July 17, 2007


By: Glenn D. Bellamy
Greenebaum Doll & McDonald
255 East Fifth Street, Suite 2900
Cincinnati, Ohio 45202
Tel: 513-455-7625


David Tuller

Dated: July 19, 2007


By: James M. Roper
Isaac Brant Ledman & Teetor
Midland Building
250 E. Broad Street, Suite 900
Columbus, Ohio 43215-3742
Tel: 614-221-2121

Man Nin Shing Company Limited

Dated: July 19, 2007


By: Daniel P. Burke
Daniel P. Burke & Associates, PLLC
300 Rabro Drive, Suite 131
Hauppauge, New York 11788
Tel: 631-851-9766

SO ORDERED.

Dated: July 19, 2007


Judge Gregory L. Frost

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